

Notice of Allowability

Application No.

10/767,569

Examiner

Marvin P. Crenshaw

Applicant(s)

GIANNETTI ET AL.

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/29/2004.
2. ☒ The allowed claim(s) is/are 1 - 20.
3. ☒ The drawings filed on 29 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Rich Romanchik on January 5, 2005.

The application has been amended as follows:

In claim 8, line 1, after "for", delete - - an - - and enter - - a - -.

In claim 8, line 2, before "a", enter - - a vacuum transport for receiving a sheet from an image transfer section, - -.

In claim 8, line 2, after "between", delete "an image transfer section" and enter - - said vacuum transport - -.

In claim 8, line 4, after "to", enter - - be - -.

In claim 9, line 1, after "9.", delete "The marking engine" and enter - - A fuser entrance guide - -.

In claim 10, line 1, after "10.", delete "The marking engine" and enter - - A fuser entrance guide - -.

In claim 11, line 1, after "11.", delete "The marking engine" and enter - - A fuser entrance guide - -.

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In claim 12, line 1, after "12.", delete "The marking engine" and enter - - A fuser entrance guide - -.

In claim 13, line 1, after "13.", delete "The marking engine" and enter - - A fuser entrance guide - -.

In claim 14, line 1, after "14.", delete "The marking engine" and enter - - A fuser entrance guide - -.

In claim 15, line 1, after "sheet", delete "of".

Allowable Subject Matter

Claims 1 – 20 are allowed.

The following is an examiner's statement of reasons for allowance:

With respect to claim 1, the prior art does not teach or render obvious the total combination as claimed including a marking engine for marking an image onto a sheet, the marking engine having an image transfer section, a fuser section and a travel path for transporting the sheet from an image transfer section to the fuser section and the travel path comprising a fuser entrance guide for receiving said sheet from said vacuum transport and guiding said sheet into said fuser section, said guide comprising a housing adapted to maintain a vacuum therein.

With respect to claim 8, the prior art does not teach or render obvious the total combination as claimed including a fuser entrance guide for a marking engine comprising a vacuum transport for receiving a sheet from an image transfer section and

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a housing adapted to be positioned between an image transfer section and the fuser section within said marking engine, said housing adapted to maintain a vacuum therein.

With respect to claim 15, the prior art does not teach or render obvious the total combination as claimed including a method of guiding a sheet from a vacuum transport in a marking engine into a fuser section of an engine, said method comprising providing a guide between the exit of said vacuum transport and the entrance of said fuser section and applying a vacuum through the lower surface of the guide to attract and hold the sheet against the lower surface of the guide.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (571) 272-2158. The examiner can normally be reached on Monday - Thursday 7:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MPC

January 5, 2005



ANDREW H. HIRSHFELD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800